



STATE OF MARYLAND
BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS
MINUTES OF THE MEETING HELD ON:
Thursday, December 16, 2021 At 10:00 A.M
Virtual Video Conference Meeting via Google Hangouts

MISSION OF THE MARYLAND BOARD OF WATERWORKS & WASTE SYSTEMS OPERATORS

The Treatment Systems that provide drinking water for our citizens and handle the wastes generated by our daily activities play an important role in protecting Public Health and the Environment of Maryland. Through the Certification Program established by State Law, the “Board of Waterworks and Waste Systems Operators” sets the education, experience and examination standards for Operators and Superintendents who work in these vital systems.

BOARD MEMBERS PRESENT

Jay Price	Sanitary Commission; Board Chair
Benjamin Thompson	County Government; Board Vice-Chair
Doug Abbot	Water Supervision
Bruce Darner	Agriculture; WWOA Liaison
Eric Dutrow	Public-At-Large
Ed Hogan	Industrial Superintendents
Partha Tallapragada	Maryland Environmental Service

BOARD MEMBERS NOT PRESENT

Hiram Tanner	Public-At-Large
Rosann Ndebumado	Municipal Government
Connie Luffman	Wastewater Supervision
Vacant	Maryland Department of the Environment

LIASONS, GUEST & STAFF PRESENT

Dee Settar	Board Secretary
Jennifer Bowman	Board Counsel
Martin Fuhr	Board Staff
Victoria Arbaugh	Board Staff
Pamela Franks	Board Staff
Shailaja Pelosi	MDE Liaison– Compliance Program
Scott Harmon	MRWA Liaison
Clark Howells	CWEA Liaison
Tara Jones	MCET Liaison
Jane Pierce	MCET Liaison
Bill Shreve	TRE Committee

01. CALL TO ORDER

Board Chair Jay Price called the meeting to order at 10:00 AM. Roll Call was done by Dee Settar, Board Secretary. The Board meeting was conducted online using Google Meet.

02. REVIEW AND ADOPTION OF PROPOSED MEETING AGENDA

Board Members reviewed the December 16, 2021 proposed Agenda. Partha Tallapragada moved to adopt the proposed meeting agenda with amendments. Ben Thompson seconded the motion. Board Chair Jay Price abstained. The motion carried unanimously.

03. REVIEW AND APPROVAL OF DRAFT FOR PRIOR MEETING MINUTES

Board Members reviewed the November 18, 2021 draft Meeting Minutes. Bruce Darner moved to adopt the minutes as amended with several corrections. Ben Thompson seconded the motion. Board Chair Jay Price, Partha Tallapragada, and Ed Hogan abstained. The motion carried unanimously.

04. BOARD CHAIR'S COMMENTS

Board Chair Jay Price welcomed and thanked all Board Members, Staff, and Guests to the meeting. He noted the change in Board Membership and welcomed Ed Hogan, who was appointed to represent Industrial Superintendents. Jay also thanked Dominic Deludos for his years of knowledge and assistance with the Board. Board Secretary Dee Settar noted that Connie Luffman was also appointed to represent Wastewater Supervision, but unable to attend today's meeting. Jay invited Ed to introduce himself; Ed described his experience working with St Mary's County Metropolitan Commission as Chief of Facilities and Operations, including his background in water, wastewater and pre-treatment.

05. BOARD STAFF'S REPORTS

A. Board Appointments

Dee Settar continued the update of Board appointments, stating that she recommended Bruce Darner and Ben Thompson for reappointment, as their terms expired 06/30/2020 and 06/30/2021, respectively.

B. Revenue & Expenditures Update

Dee Settar presented the November 2021 Revenue & Expense Report, including an update of the ABC retroactive encumbrance for CY2021. Dee also discussed the proposed exam budget for CY2022, including changes to exam scheduling as a result.

FY22 Appropriations = \$390,093.00

As of 10/31/21, MDE confirmed cumulative expenditures = \$35,895.06

As of 10/31/21, MDE confirmed cumulative revenue = \$ 57,312.00.

As of 11/30/2021, WWSO draft cumulative revenue = \$71,612.00

C. Board Initiatives & Updates

Dee Settar updated Board Members that newly appointed Members could receive minutes from Closed Meetings prior to their appointment. Dee will provide all current Board Members with the Sealed Minutes from closed meetings held in the last 6 months.

06. REVIEW OF APPLICATIONS

Martin Fuhr presented the following applications for Reciprocity & Education for Experience Credit:

Thomas Veasey

Mr. Veasy requested reciprocity from the State of New Jersey for his Maryland I6 wastewater certification. Board Members reviewed Mr. Veasey's application with Shailaja Polasi of MDE's Compliance Program and noted the plant of pending employment is classified as an I2 based upon pH control and settling. Doug Abbot moved to grant Mr. Veasy reciprocity for I2 certification to align with the Maryland plant that he will operate; Bruce Darner seconded the motion. The motion passed unanimously; Board Chair Jay Price abstained.

David Linahan

Mr. Linahan requested reciprocity from the State of Pennsylvania for his Maryland I6 wastewater certification. Board Members reviewed Mr. Linahan's application with Shailaja Polasi of MDE's Compliance Program and noted the plant of pending employment is classified as an I2 based upon pH control and settling (as previously discussed during Mr. Veasy's application). Ben Thompson moved to grant Mr. Linahan reciprocity for I2 certification to align with the Maryland plant that he will operate; Ed Hogan seconded the motion. The motion passed unanimously; Board Chair Jay Price abstained.

James Dustin Ferris

Mr. Ferris requested reciprocity from the State of New Jersey for his Maryland I7 wastewater certification; his application was originally reviewed during the October 21, 2021 Board meeting. Mr. Ferris provided additional documentation as required- a proposed schematic for a facility has not yet been constructed or permitted. Shailaja Polasi noted that newly constructed plants are granted a provision to obtain a certified operator within 6 months of start-up. Board Members agreed they could not determine the plant classification prior to MDE's issuance of a National Pollutant Elimination and Discharge System (NPDES) permit, which finalizes water quality compliance parameters and subsequent treatment processes. Board Members agreed to table Mr. Ferris' application until MDE issues the NPDES permit in order to appropriately evaluate his reciprocity application.

Robert May

Mr. May requested reciprocity from the State of Pennsylvania for his Maryland I2 wastewater certification. Board Members reviewed Mr. May's application and noted the plant of pending employment is classified as an I1 based upon pH control only. Ben Thompson moved to grant Mr. May reciprocity for I1 certification to align with the Maryland plant that he will operate; Doug Abbott seconded the motion. The motion passed unanimously; Board Chair Jay Price abstained.

At this time, Shailaja Polasi noted that the MDE permit writers were beginning to note treatment plant classifications in renewed permit fact sheets to improve consistency with WWSO Board decisions.

Jasper Hankey

Mr. Hankey requested reciprocity from the State of Pennsylvania for his Maryland W5A wastewater certification. Board Members reviewed Mr. Hankey's application and the Board's matrix of crediting decisions, which indicated Mr. Hankey is eligible for W5 reciprocity only and require he apply for Operator in Training certification for the advanced (A) treatment. Doug Abbot moved to grant Mr. Hankey reciprocity for W5 certification; Bruce Darner seconded the motion. The motion passed unanimously; Board Chair Jay Price abstained.

Zachary Schlay

Mr. Schlay requested education substitution for his W5A wastewater experience requirement. Board Members reviewed Mr. Schlay's application and determined his transcript did not include coursework in engineering or science as required for operator certification by COMAR 26.06.01.16. Ben Thompson moved to deny Mr. Schlay's application for education substitution; Ed Hogan seconded the motion. The motion passed unanimously; Board Chair Jay Price abstained. Mr. Schlay will be eligible for full operator certification as of July 1, 2022.

Theophilus Nimpson

Mr. Nimpson requested education substitution for his W5A experience requirement. Board Members reviewed Mr. Nimpson's application and determined his transcript included adequate coursework in engineering or science as required for operator certification by COMAR 26.06.01.16. Ben Thompson moved to grant Mr. Nimpson twelve (12) months experience credit toward his W5A certification; Ed Hogan seconded the motion. The motion passed unanimously; Board Chair Jay Price abstained. Mr. Nimpson will be eligible for full operator certification as of May 1, 2022.

Devin Spicher

Mr. Spicher requested education substitution for his T4 water and W3 wastewater experience requirements. Board Members reviewed Mr. Spicher's application and noted he met his W3 experience requirement and is eligible immediately for full W3 certification. Board Members then determined his transcript included adequate coursework in engineering or science as required for operator certification by COMAR 26.06.01.16. Doug Abbott moved to grant Mr. Spicher four (4) months experience credit toward his T4 certification; Bruce Darner seconded the motion. The motion passed unanimously; Board Chair Jay Price abstained. Mr. Spicher will be eligible for full operator certification as of January 1, 2022.

At this time, Dee Settar shared her plan to develop a form by which Board staff will verify an operator's certification and standing with other states to grant reciprocity in Maryland. Board staff currently receive a similar document request from other state certification programs and the proposed verification form would supplement Maryland's exiting reciprocity application. Dee will forward the draft form to Board Members and Board Counsel for review and comment.

07. SUBCOMMITTEE REPORTS

A. Exam Subcommittee Update

The Exam Subcommittee (Dee Settar, Eric Dutrow, Doug Abbott and Jay Price) met with MDE Engineering & Technical Assistance Division Chief Alex McNamee, and Engineers Virgiline Ogingko and Zoe Goodson on December 17, 2021 to continue evaluation of the T3 water exam.

B. Training, Review and Evaluation (TRE) Subcommittee Update

The TRE Subcommittee (Martin Fuhr, Dee Settar, Ed Hogan, Tara Jones, Bill Shreve, Clark Howells, Tom McGrath, Scott Harmon and Jane Pierce) met on December 8, 2021 to review 89 training applications for course content, audience and continuing education credit. The Committee recommended all for Board approval. After some discussion, Bruce Darner moved to approve the Committee's recommendations; Ed Hogan seconded the motion. The motion passed unanimously; Board Chair Jay Price abstained from voting.

The TRE Committee also agreed to increase the number of meetings in CY2022 from four to six (every other month) to decrease workload for both Committee and Board, decrease response time to training sponsors, and better promote training opportunities for operators.

08. DISCUSSION WITH BOARD LIAISONS AND GUESTS

Ed Hogan (New Board Member) – Thanked everyone for his welcome and is looking forward to serving the Board.

Shailaja Polasi (MDE Compliance Program) – Asked if the Board placed any limitations on contract operators; Dee responded either the water or wastewater compliance programs could possibly place restrictions if concerns arise, and that some states did limit the number of systems a contract operator could manage based upon staffing. Shailaja also asked if the Board had updated plant staffing information in a database. Dee responded that the new database was built to accommodate this information; Board staff was beginning to acquire data; and that it would take at least 3 years for full update. Shailaja then asked if utilities are required to report staffing to the Board. Dee responded that currently that initiative would be required by either or both the water or wastewater compliance programs and that only superintendent certificates were specific to a particular plant.

Tara Joines (MCET) – Discussed the EARN Program was extended for an additional year to December 2022 and hopes the program will include new students for two more graduation classes. She also noted that MCET has posted spring training courses.

Eric Dutrow (MRWA) – Did not provide any update.

Clark Howells (CWEA) – Did not provide any update.

Jay Price (CSAWWA) – Advised the annual CSAWWA/ CWEA/ WWOA Short Course is scheduled to be an in-person event in June and registration opens April 1st.

Bill Shreve – Thanked everyone for letting him continue to be involved with Board meetings. He also noted that he will continue serving on the TRE Committee and will be more involved with WWOA.

Jay Price remarked that he, and the Board, appreciate Bill's institutional knowledge.

Bruce Darner (WWOA) – Noted training was discussed at the December 1st meeting.

09. BOARD VOTE TO MOVE INTO CLOSED SESSION

Pursuant to General Provisions Article (“GP”) § 3-305(b), on a motion made by Ben Thompson and seconded by Doug Abbott, the following Board members voted in favor to move into closed session on December 16, 2021 at 12:24 PM via Google Meet video/ teleconference for the purpose of complying with certain provisions of the Open Meetings Act: Bruce Darner, Ben Thompson, Doug Abbott, Eric Dutrow, Partha Tallapragada and Ed Hogan; Board Chair Jay Price abstained. The motion carried.

10. ADJOURNMENT

Ben Thompson moved to adjourn the open meeting at 12:25 PM. The next meeting will be held on January 20, 2022 via Google Meet.

CALL TO ORDER AND PURPOSE OF CLOSED MEETING

With a quorum present, Chairman Jay Price called the meeting of the closed session to order at 12:31 PM to perform administrative functions, pursuant to the following provisions of GP § 3-305(b):

GP § 3-305(b)(2) - To protect the privacy or reputation of individuals concerning a matter not related to public business

GP § 3-305(b)(7) - To consult with Board Counsel to obtain legal advice

During the closed meeting, the following Board members were present: Chairman Jay Price, Vice-Chairman Ben Thompson, Doug Abbott, Partha Tallapragada, Bruce Darner, and Eric Dutrow. The following MDE staff were also present during the closed meeting: Jenn Bowman, Dee Settar, Martin Fuhr, Pam Franks, and Victoria Arbaugh. The following Board Members were not present: Rosann Ndebumdo, Hiram Tanner, Ed Hogan and Connie Luffman.

TOPICS DISCUSSED DURING CLOSED MEETING

Board Members reviewed Closed Minutes for the November 18, 2021 meeting and discussed a proposal subdivide the Industrial 7 (I7) classification to address various MDE compliance-related concerns.

*The December 16, 2021 Open Meeting Minutes were approved by the WWSO Board
on February 17, 2022*